

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**WILLIAM J. LUNDSFORD**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO.: 1:09cv617-JMR**

**CAPTAIN TINGLE OF STONE COUNTY JAIL,  
AND SGT. S. SMITH OF STONE COUNTY JAIL**

**DEFENDANTS**

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**FINAL JUDGMENT**

This matter came on to be heard on the Motion [36-1] to Dismiss filed by Defendant S. Smith on May 23, 2011. The Court, after a full review and consideration of the record, the parties' submissions, the pleadings on file and the relevant legal authorities, finds that in accord with its Memorandum Opinion and Order entered herewith,

**IT IS, ORDERED AND ADJUDGED**, all claims against the Defendant Smith should be dismissed without prejudice.

**SO ORDERED AND ADJUDGED**, this the 16th day of September, 2011.

s/ John M. Roper, Sr.  
CHIEF UNITED STATES MAGISTRATE JUDGE